

**Court of Appeal, State of California
Fourth Appellate District, Division 2
Riverside, California**

**Minutes
June 1, 2010**

Court convened at 8:30 a.m.

Panel 1
Present:
Ramirez, P.J.
Hollenhorst, J.
King, J.
Sonia DeLeon, Deputy Clerk

E048027 The People v. Jaime Lopez

Merits. Cause called and R. Clayton Seaman, Esq., argued for appellant; Lynne G. McGinnis, Deputy Attorney General, argued for respondent. Cause submitted.

E047306 Richard J. Maraziti et al. v. David A. Stone, Jr.

Merits. Cause called and William M. Rathbone, Esq., argued for appellants; Matthew W. Holder, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1a
Present:
Ramirez, P.J.
Richli, J.
King, J.
Sonia DeLeon, Deputy Clerk

E046801 The People v. Javier Joaquin Luque et al.

Merits. Cause called and Carl J. Fabian, Esq., argued for appellant, Albert Amaya; Laura P. Gordon, Esq., argued for appellant, Javier J. Luque; Andrea N. Cortina, Deputy Attorney General, argued for respondent. Cause submitted.

E047788 The People v. Paul Andy Turner, Jr.

Merits. Cause called and Randi D. Covin, Esq., argued for appellant; Lynne G. McGinnis, Deputy Attorney General, argued for respondent. Cause submitted.

Minutes
June 1, 2010

E047822 The People v. Ruben Portillo Nunez

Merits. Cause called and Jean F. Matulis, Esq., argued for appellant; Scott C. Taylor, Deputy Attorney General, appeared for respondent; Jennifer Gustafson, certified law student argued for respondent. Cause submitted.

E049090 In re B.M., a Person Coming Under the Juvenile Court Law.
Riverside County Department of Public Social Services v. D.M.

Merits. Cause called and Hassan Gorguinpour, Esq., argued for appellant; Sophia H. Choi, Deputy County Counsel, argued for respondent. Cause submitted.

E049505 In re E.K., a Person Coming Under the Juvenile Court Law.
San Bernardino County Children and Family Services v. M.K.

Merits. Cause called and William D. Caldwell, Esq., argued for appellant; Dawn M. Messer, Deputy County Counsel, argued for respondent. Cause submitted.

E047609 Judy Clark v. Sky Valley East, LLC. et al.

E048324 Judy Clark v. Sky Valley East, LLC. et al.

Merits. Cause called and Nicholas Miller, Esq., argued for appellant, Judy Clark; Quynhvi B. Sotelo, Esq., argued for appellants, Sky Valley East, LLC et al. Cause submitted.

E048222 Groner Enterprises, Inc. v. American Realty Trust, Inc.

Merits. Cause called and Nikki B. Allen, Esq., argued for appellant, Groner Enterprises, Inc.; Brian S. Harnik, Esq., argued for appellant, American Realty Trust, Inc. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Panel 2

Present:

Hollenhorst, Acting P.J.

King, J.

Miller, J.

Michelle Parlapiano, Deputy Clerk

E047105 The People v. Carl Bently Marion II

Merits. Cause called and Dacia A. Burz, Esq., argued for appellant; William M. Wood, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Minutes
June 1, 2010

Court reconvened.

Panel 2b

Present:

Hollenhorst, Acting P.J.

McKinster, J.

Miller, J.

Michelle Parlapiano, Deputy Clerk

E046651 The People v. Mario Martinez

Merits. Cause called and Charles Khoury, Esq., argued for appellant; Marissa A. Bejarano, Deputy Attorney General, appeared for respondent and Steven Riley, certified law student argued for respondent. Cause submitted.

E047842 The People v. Wayne Frederick Tompkins

Merits. Cause called and Benjamin B. Kington, Esq., argued for appellant; William M. Wood, Deputy Attorney General, argued for respondent. Cause submitted.

E048186 The People v. Scott Allen Smith

Merits. Cause called and Edward J. Haggerty, Esq., argued for appellant; Ronald A. Jakob, Deputy Attorney General, argued for respondent. Cause submitted.

E048502 The People v. Harold Leon Zick

Merits. Cause called and Ann J. Cunningham, Esq., argued for appellant; Marissa A. Bejarano, Deputy Attorney General, appeared for respondent and Jordon Ferguson, certified law student argued for respondent. Cause submitted.

E048629 The People v. Raul Lopez

Merits. Cause called and James M. Crawford, Esq., argued for appellant; Marissa A. Bejarano, Deputy Attorney General, appeared for respondent and Christina Dinh, certified law student argued for respondent. Cause submitted.

E048648 The People v. Rodolfo Gonzalez

Merits. Cause called and Edward J. Haggerty, Esq., argued for appellant; Scott C. Taylor, Deputy Attorney General, argued for respondent. Cause submitted.

**E048596 In re A.B. et al., Persons Coming Under the Juvenile Court Law.
Riverside County Department of Public Social Services v. R.B.**

Merits. Cause called and Linda S. Rehm, Esq., argued for appellant; Anna M. Deckert, Deputy County Counsel, argued for respondent. Cause submitted.

Court adjourned.

Minutes
June 1, 2010

E048416 The People v. Cesar Garcia

Order

Counsel having waived oral argument, cause now set for hearing on June 1, 2010, at 1:30 p.m., is ordered off calendar. The cause stands submitted.

**Court of Appeal, State of California
Fourth Appellate District, Division 2
Riverside, California**

**Minutes
June 2, 2010**

Court convened at 8:00 a.m.

Panel 3
Present:
Ramirez, P.J.
Richli, J.
Miller, J.
Rachel Borba, Deputy Clerk

E045145 Constance DeRosa v. Jack Masi, as Trustee, etc.

Merits. Cause called and Marc J. Poster, Esq., argued for appellant; David C. Nelson, Esq., argued for respondent. Cause submitted.

E047980 Orange Coast Equities, LLC v. The City of Victorville et al.

Merits. Cause called and Efrat M. Cogan, Esq., argued for appellant; Randall P. Nakashima, Esq., argued for respondents The City of Victorville et al. Cause submitted.

E048472 Michael Espinosa et al. v. Kenneth L. Kirkwood, Jr.

Merits. Cause called and Harry W. Harrison, Esq., argued for appellants; Peter J. Godfrey, Esq., argued for respondents. Cause submitted.

E045862 Isabelle Harrison et al. v. Sierra Dawn Estates Homeowners' Association, Inc.

Merits. Cause called and J Niswonger, Esq., argued for appellants; William S. Budd, Esq., argued for respondent. Cause submitted.

E046596 Nancy Gruenewald et al. v. Melodie Scott, as Trustee, etc.

E047405 Nancy Gruenewald et al. v. John Osborne et al.

Merits. Cause called and Thomas W. Gillen, Esq., argued for appellants; Louis A. Stearns, Esq., argued for respondents Melodie Z. Scott et al.; Thomas K. Cox, Esq., argued for respondent John Osborne. Cause submitted.

E047776 Barry Banks v. Sonja Zinke

Merits. Cause called and Barry Banks argued as appellant in propria persona Cause submitted.

Minutes
June 2, 2010

E048462 Fernando Herrera et al. v. Alfredo Lopez et al.
Alfredo Lopez v. Fernando Herrera

Merits. Cause called and Leighton M. Anderson, Esq., argued for appellant; Martin R. Berman, Esq., argued for respondent. Cause submitted.

E047943 Dakota Payphone, LLC v. Hugo Alcaraz

Merits. Cause called and Marty E. Zemming, Esq., argued for appellant Dakota Payphone, LLC; Aimee E. Dominguez, Esq., argued for appellant Hugo Alcaraz. Cause submitted.

E048179 Joseph Billings v. Jeremy J. Ofseyer et al.

Merits. Cause called and Joseph Billings argued as appellant in propria persona; Scott K. Murch, Esq., argued for respondents Jeremy Ofseyer et al.; Robert Reback, Esq., argued for respondents Robert Warford et al.; Teresa Cho, Esq., argued for respondent Lawyers Mutual Insurance Company. Cause submitted.

E048856 Granite Consulting, Inc. v. Robert E. Hall

Merits. Cause called and Stephen R. Wade, Esq., argued for appellant; Christopher R. Clark, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Panel 4

Present:

McKinster, Acting P.J.

Richli, J.

King, J.

Mary Urena, Deputy Clerk

E047596 Estate of Don W. Mauzey, Deceased.
Aimee Scarpino v. James Mauzey et al.

Merits. Cause called and David G. Jimenez, Esq., argued for appellants; Lee G. Werner, Esq., argued for respondent. Cause submitted.

E047838 In re the Marriage of Daniel Todd and Lisa Renee Betz.
Daniel Todd Betz v. Lisa Renee Betz

Merits. Cause called and Beverly W. Quinn, Esq., argued for appellant. Cause submitted.

Court recessed.

Minutes
June 2, 2010

Court reconvened.

Panel 4a
Present:
McKinster, Acting P.J.
King, J.
Miller, J.
Mary Urena, Deputy Clerk

E048176 Clarendon America Insurance Company v. North American Capacity Insurance Company

Merits. Cause called and David S. Blau, Esq., argued for appellant; Mark Vranjes, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 4b
Present:
Hollenhorst, Acting P.J.
McKinster, J.
King, J.
Mary Urena, Deputy Clerk

**E046921 In re the Marriage of Misti Lynn and Dave Alan Fillhart.
Misti Lynn Fillhart v. Dave Alan Fillhart**

Merits. Cause called and David G. Currie, Esq., argued for appellant; John A. Bledsoe, Esq., argued for respondent. Cause submitted.

E047311 Gerard Ste. Marie v. Board of Supervisors for the County of Riverside

Merits. Cause called and Gerard Ste. Marie argued as appellant in propria persona; Bruce G. Fordon, Esq., argued for respondent. Cause submitted.

E049099 Cesar Garcia et al. v. W&W Community Development, Inc.

Merits. Cause called and Luis A. Carrillo, Esq., argued for appellants; Anthony C. Ferguson, Esq., argued for respondent. Cause submitted.

Court adjourned.

Minutes
June 2, 2010

The following cases are submitted this date:

E048360	The People v. Francisco Javier Velez
E048276	The People v. Francisco Morales
E048275	The People v. Alex Navarro
E048215	The People v. Michael Anthony Gonzalez
E048743	The People v. Leah Jeanette Doty
E048560	The People v. Robert Sanchez
E047485	The People v. Clifford Paul Smith, Jr.
E049427	Kimberly Dawn Doyle v. Justin James Van Sickle
E048450	The People v. Steven Ray Widney
E048707	The People v. Richard Wooters
E048454	In re C.C., A Person Coming Under the Juvenile Court Law.
	The People v. C.C.

E046298	Bryan Berger et al. v. State of California	Opinion
	Judgment affirmed.	
	Richli, J.	
	We concur: Ramirez, P.J., Hollenhorst, J.	

E049646	The People v. Juan Manuel Hernandez	Opinion
	Judgment affirmed as modified.	
	Richli, J.	
	We concur: Ramirez, P.J., Hollenhorst, J.	

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 3, 2010**

The following cases are submitted this date:

**E048042 The People v. Felipe Sanchez Avila
E048169 The People v. Ebone Leroy East**

E047588 The People v. Jatauna Renee Howard Opinion
Judgment affirmed with directions.
Ramirez, P.J.
We concur: Richli, J., King, J.

**E049353 In re A.W., a Person Coming Under the Juvenile Court Law Opinion
Riverside County Department of Public Social Services v. N.B.**
Judgment affirmed.
Richli, J.
We concur: Hollenhorst, Acting P.J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 4, 2010**

E047889*	The People v. Miguel Angel Sanchez; Safety National	Opinion
E049340*	Casualty Corporation	
	Judgment affirmed.	
	Miller, J.	
	We concur: Ramirez, P.J., King, J.	
	*Consolidated for all purposes.	

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 7, 2010**

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| E046939 | Otay Acquisitions LP v. City of San Diego
Judgment affirmed in part; reversed in part with directions.
McKinster, Acting P.J.
We concur: Richli, J., King, J. | Opinion |
| E046937 | National Enterprises, Inc. et al., v. City of San Diego
Judgment affirmed in part; reversed in part with directions.
McKinster, Acting P.J.
We concur: Richli, J., King, J. | Opinion |
| E046940 | Border Business Park, Inc. v. City of San Diego
Judgment reversed.
McKinster, Acting P.J.
We concur: Richli, J., King, J. | Opinion |
| E047855 | The People v. Indiana Lumbermens Mutual Insurance Company
Judgment affirmed.
Miller, J.
We concur: Ramirez, P.J., Richli, J. | Opinion |
| E048469
E050907 | Shaun Aubry v. Mark Fields, Sr.

On court own motion, appeals in case numbers E048469 and E050907 are consolidated for purposes of oral argument and decision. Case number E048469 is designated the master file. | Order |
| E048562 | Michael Rodriguez v. Carl Harris et al.
Judgment affirmed.
King, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E047245 | The People v. David Arthur Weed
Judgment affirmed as modified.
McKinster, J.
We concur: Hollenhorst, Acting P.J., Miller, J. | Opinion |

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 8, 2010**

In the matter of the admission of Attorneys to the practice of law.

The Court of Appeal, Fourth Appellate District, Division Two, met in special session at 10:00 a.m., June 8, 2010, at the Riverside Superior Court, Dept 1, Historic Courthouse.

Court was called to order by Paula Garcia, Assistant Clerk/Administrator of the Court.

Present were Presiding Justice Manuel A. Ramirez, Associate Justice Jeffrey King and Associate Justice Douglas P. Miller. Presiding Justice Ramirez made introductory comments and addressed the admittees and all present.

Presiding Justice Ramirez called upon Thomas W. Dominick, President of the San Bernardino County Bar Association, Harry J. Histen, III, President of the Riverside County Bar Association, Dennis Wagner, President-Elect of the Federal Bar Association, Inland Empire Chapter; each addressed the admittees briefly.

Presiding Justice Ramirez called upon James H. Aguirre, on behalf of the State Bar Board of Governors and Archie "Joe" Biggers, on behalf of the Committee of Bar Examiners, who notified the Court a motion has been made before the California Supreme Court on behalf of the Committee. The Movant then orally certified to the Court that those present have passed the Bar Examination and otherwise fulfilled the requirements for admission to the practice of law in California.

Justice Jeffrey King introduced the following new admittees to those present: Gabriel Anderson, Michelle Berner, Michelle Carpenter, Randolph Greenwald, Crystalyn Kearns, Jung Lee, Dustin Maricic, Matthew Nguyen, Christian Nicholson, Jeanilou Torrado, Louis Wong, and Dmitriy Zaev.

At the direction of Presiding Justice Ramirez, Deputy Clerk, Michelle Parlapiano, read section 6068 of the Business and Professions Code (State Bar Act) having to do with the duties and obligations of an attorney.

Presiding Justice Ramirez administered the oath and congratulated the new admittees.

The Court in special session was adjourned.

Minutes
June 8, 2010

The following cases are submitted this date:

- E048136 The People v. Roosevelt Turner**
E049397 In re D.A., A Person Coming Under the Juvenile Court of Law.
Riverside County Department of Public Social Services v. J.A.
E048379 The People v. Ubaldo Carbral
E050063 In re C.B., a Person Coming Under the Juvenile Court Law.
San Bernardino County Children and Family Services v. T.B.
- E048031 In re the Marriage of Sharon L. and Robert L. Holcomb. Opinion**
Sharon L. Holcomb v. Robert L. Holcomb
Judgment reversed with directions.
Richli, J.
We concur: Hollenhorst, Acting P.J., McKinster, J.
- *E047077 Ron Burns Construction Company, Inc., v. Modification of Opinion**
David R. Moore, as Trustee, etc., et al.,
No change in judgment and denial of petition for rehearing.
Richli, J.
We concur: McKinster, Acting P.J., Miller, J.
***Certified for partial publication.**
- E048052 The People v. Anthony Polack Opinion**
Judgment affirmed.
King, J.
We concur: McKinster, Acting P.J., Miller, J.
- E049427 Kimberly Dawn Doyle v. Justin James Van Sickle Opinion**
Judgment affirmed.
McKinster, J.
We concur: Ramirez, P.J., Hollenhorst, J.
- E047535 In re the Marriage of Kierstin A. and Mark Lee Smith.**
Kierstin A. Smith v. Mark Lee Smith Opinion
Judgment affirmed.
Richli, J.
We concur: McKinster, Acting P.J., King, J.
- E049514 The People v. Steven Emilo Vega Opinion**
Judgment affirmed with directions.
Ramirez, P.J.
We concur: McKinster, J., Miller, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 9, 2010**

E048896 The People v. Justin William Morain
Petition for rehearing is denied.

Order

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 10, 2010**

The following case is submitted this date:

**E049462 In re R.C., a Person Coming Under the Juvenile Court Law.
The People v. R.C.**

**E050520 Marc Clayton Merolillo v. The Superior Court of
Riverside County; County of Riverside et al.**

Opinion

Petition granted.

Richli, Acting P.J.

We concur: Hollenhorst, J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 11, 2010**

The following case is submitted this date:

E050158 The People v. Mario Gallardo

E049170 Chino Commercial Bank, N.A. v. Brian D. Peters

Order

The court, on its own motion, grants rehearing. The parties are requested to file supplemental briefs on or before June 28, 2010.
Hollenhorst, Acting P.J.
I concur: McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 14, 2010**

The following case is submitted this date:

**E050757 K.M. v. The Superior Court of Riverside County; Riverside County
Department of Public Social Services**

E048891 Jesus Simental et al. v. Inyo-Mono Title Co. Profit Sharing Plan et al.
Judgment affirmed. **Opinion**
King, J.
We concur: Hollenhorst, Acting P.J., McKinster, J.

E048215 The People v. Michael Anthony Gonzalez **Opinion**
Judgment affirmed as modified.
Miller, J.
We concur: McKinster, Acting P.J., King, J.

E048648 The People v. Rodolfo Gonzalez **Opinion**
Judgment affirmed.
Miller, J.
We concur: Hollenhorst, Acting P.J., McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 15, 2010**

The following cases are submitted this date:

E048550	The People v. Henry Joe Avalos
E048306	The People v. Crisanto Murillo Castrejon
E048984	The People v. Eddie Lee Chapman
E049562	In re D.D., a Person Coming Under the Juvenile Court Law. Riverside County Department of Public Services v. R.D. et al.
E049226	Samuel Gonzales v. Ronald C. Peterson et al.
E048618	The People v. Rigoberto Polanco
E047350	John R. Heckenlively v. David Storey
E047831	The People v. Jeffrey Michael Stein
E049355	The People v. Joe Warf
E050079	The People v. Tyre Beverly
E049897	The People v. Douglas Riskas

E048176	Clarendon America Insurance Company v. North American Capacity Insurance Company	Opinion
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Judgment reversed.

King, J.

We concur: McKinster, Acting P.J., Miller, J.

E048169	The People v. Ebone Leroy East	Opinion
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Judgment affirmed with directions.

King, J.

We concur: McKinster, Acting P.J., Miller, J.

E049032	Sialic Contractors Corporation v. Rossetti Construction Company, Inc. et al.	Order
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Counsel having waived oral argument, the above entitled cause now set for hearing on June 28, 2010, is ordered off calendar. The cause stands submitted.

E048326	The People v. Craig Steven Bloom	Order
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Counsel having waived oral argument, the above entitled cause now set for hearing on June 29, 2010, is ordered off calendar. The cause stands submitted.

Minutes
June 15, 2010

E047157 The People v. Surety National Casualty Corporation Order
Counsel having waived oral argument, the above entitled cause now set for
hearing on June 28, 2010, is ordered off calendar. The cause stands submitted.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 16, 2010**

No Minutes for June 16.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 17, 2010**

The following cases are submitted this date:

E048954 The People v. Mario Sanchez
E049761 The People v. Michael Vincent Jackson
E050254 The People v. Patrick Arguello

E048186 The People v. Scott Allen Smith Opinion
Judgment affirmed.
McKinster, J.
We concur: Hollenhorst, Acting P.J., Miller, J.

E048502 The People v. Harold Leon Zick Opinion
Judgment affirmed in part; reversed in part.
McKinster, J.
We concur: Hollenhorst, Acting P.J., Miller, J.

E049187 Wayne Sloan v. Matthew Benjamin Gilbert Opinion
Judgment affirmed.
McKinster, J.
We concur: Hollenhorst, Acting P.J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 18, 2010**

The following cases are submitted this date:

E048946 The People v. Oswald Lopez
E049726 The People v. Shirley Ann Disandro

**E045688 Conservatorship of the Person and Estate Modification of Opinion
 of Raymond P. Horspool, Sr.
 Margaret Updike v. William F. Horspool**

No change in judgment.
Petition for rehearing denied.
Hollenhorst, Acting P.J.
We concur: McKinster, J., Richli, J.

E049431 The People v. Alfred John Moreno Opinion
Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., Miller, J.

**E047311 Gerard Ste. Marie v. Board of Supervisors for the Opinion
 County of Riverside**
Judgment reversed.
McKinster, J.
We concur: Hollenhorst, Acting P.J., King, J.

E048585* Stephen Harris et al. v. Wachovia Mortgage, FSB Order
The request for publication of the opinion filed May 21, 2010, is granted.
It is so ordered that said opinion be certified for publication.
McKinster, J.
I concur: Hollenhorst, Acting P.J.
***Certified for publication.**

**E049099 Cesar Garcia et al. v. W & W Community Opinion
 Development, Inc.**
Judgment affirmed.
McKinster, J.
We concur: Hollenhorst, Acting P.J., King, J.

Minutes
June 18, 2010

E049562 In re D.D., a Person Coming Under the Juvenile Court Law.
Riverside County Department of Public Social Services v. Opinion
R.D. et al.

Judgment reversed with directions.

King, J.

We concur: McKinster, Acting P.J., Miller, J.

E047105 The People v. Carl Bently Marion II Opinion

Judgment affirmed.

Miller, J.

We concur: Hollenhorst, Acting P.J., King, J.

E047350 John R. Heckenlively v. David Storey Opinion

Judgment reversed with directions.

King, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 21, 2010**

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| E049697 | The People v. Lino Garcia, Jr.
Judgment affirmed.
McKinster, Acting P.J.
We concur: King, J., Miller, J. | Opinion |
| E050438 | K.S. v. The Superior Court of San Bernardino County;
San Bernardino County Children and Family Services.
Petition denied.
Hollenhorst, J.
We concur: Ramirez, P.J., Richli, J. | Opinion |
| E048329 | The People v. Michael Paul Hansen
Judgment affirmed.
McKinster, Acting P.J.
We concur: King, J., Miller, J. | Opinion |
| E049778 | The People v. Eloy Castro Chavez
Judgment affirmed.
McKinster, Acting P.J.
We concur: King, J., Miller, J. | Opinion |
| E047596 | Estate of Don W. Mauzey, Deceased.
Aimee Scarpino v. James Mauzey et al.
Judgment reversed.
McKinster, Acting P.J.
We concur: Richli, J., King, J. | Opinion |
| E048360 | The People v. Francisco Javier Velez
Judgment affirmed with directions.
Richli, J.
We concur: Ramirez, P.J., Hollenhorst, J. | Opinion |
| E048275 | The People v. Alex Navarro
Judgment affirmed as modified.
Richli, J.
We concur: Ramirez, P.J., Hollenhorst, J. | Opinion |

**Minutes
June 21, 2010**

- E048618 The People v. Rigoberto Polanco Opinion**
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Hollenhorst, J.
- E046596* Nancy L. Gruenwald et al. v. Melodie Z. Scott, as Trustee etc.**
E047405* Nancy L. Gruenwald et al. v. John L. Osborne et al. Opinion
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J.
***Consolidated for purposes of oral argument and decision.**
- E048306 The People v. Crisanto Murillo Castrejon Opinion**
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Hollenhorst, J.
- E049739 The People v. Delia Ann Hill Opinion**
Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., Richli, J.
- E048918 Judith Waters v. Armando Muñoz Opinion**
Judgment affirmed.
McKinster, J.
We concur: Hollenhorst, Acting P.J., Richli, J.
- E047485 The People v. Clifford Paul Smith, Jr. Opinion**
Judgment affirmed.
King, J.
We concur: McKinster, Acting P.J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 22, 2010**

The following cases are submitted this date:

E048198 Martha Clohency v. Golden Cross Care, Inc. et al.
E049689 In re M.B., a Person Coming Under the Juvenile Court Law.
Riverside County Department of Public Social Services v. J.G. et al.
E049193 Susan Kalogirou et al. v. Wal-Mart Stores, Inc. et al.
E049168 The People v. Paul David Lenaburg
E048114 Warren J. Michaels v. Richard D. Marconi, et al.
E048044 The People v. Daniel Otilio Ruiz
E050202 In re C.S. et al., Persons Coming Under the Juvenile Court Law.
San Bernardino County Children and Family Services v. V.S.
E049186 The People v. Casey Ray Tarbutton
E049728 The People v. Dennis Morales
E049918 In re E.M., a Person Coming Under the Juvenile Court Law.
The People v. E.M.

E049184 The People v. Lamont Mars Pope Opinion
Judgment affirmed.
Ramirez, P.J.
We concur: McKinster, J., King, J.

E048984 The People v. Eddie Lee Chapman Opinion
Judgment affirmed as modified.
Ramirez, P.J.
We concur: Hollenhorst, J., Richli, J.

E049090 In re B.M., a Person Coming Under the Juvenile Court Law. Opinion
Riverside County Department of Public Social Services v. D.M.
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., King, J.

E049397 In re D.A., a Person Coming Under the Juvenile Court Law. Opinion
Riverside County Department of Public Social Services v. J.A.
Judgment affirmed.
Hollenhorst J.
We concur: Ramirez, P.J., Richli, J.

**Minutes
June 22, 2010**

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| E048707 | The People v. Richard Wooters
Judgment affirmed with directions.
Richli, J.
We concur: Ramirez, P.J., Hollenhorst, J. | Opinion |
| E048560 | The People v. Robert Sanchez
Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., Richli, J. | Opinion |
| E049777 | The People v. Richard Gonzalez
Judgment affirmed.
Hollenhorst J.
We concur: Ramirez, P.J., Richli, J. | Opinion |
| E048296 | In re J.T., a Peron Coming Under the Juvenile Court Law.
Riverside County Department of Public Social Services v.
N.R. et al.
Judgment affirmed.
McKinster, Acting P.J.
We concur: Richli, J., Miller, J. | Opinion |
| E049355 | The People v. Joe Warf
Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., Richli, J. | Opinion |
| E050040 | In re M.M. et al., Persons Coming Under the Juvenile Court Law.
San Bernardino County Children and Family Services v. SM.
Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: Richli, J., King, J. | Opinion |
| E046651 | The People v. Mario Martinez
Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: McKinster, J., Miller, J. | Opinion |
| E047838 | In re the Marriage of Daniel Todd and Lisa Renee Betz.
Daniel Todd Betz v. Lisa Renee Betz
Judgment affirmed.
Richli, J.
We concur: McKinster, Acting P.J., King, J. | Opinion |

Minutes
June 22, 2010

- E049816 Save Our Chinatown Committee v. City of Riverside;
Riverside County Office of Education; Jacobs Development
Company Inc. Order**
- E050962 Save Our Chinatown Committee v. Riverside County Office
of Education**
- On the court's own motion, appeals in case numbers E049816 and E042532 are consolidated for purposes of filing one record, briefing, oral argument and decision. Case number E049816 is designated the master file.
- E048454 In re C.C., a Person Coming Under the Juvenile Court Law. Opinion
The People v. C.C.**
- Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., Richli, J.
- E049505 In re E.K., a Person Coming Under the Juvenile Court Law. Opinion
San Bernardino County Children and Family Services v. M.K.**
- Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., King, J.
- E048596 In re A.B. et al., Persons Coming Under the Juvenile Court Law.
Riverside County Department of Public Social Services v. R.B. Opinion**
- Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: McKinster, J., Miller, J.
- E048276 The People v. Francisco Morales Opinion**
- Judgment affirmed in part; reversed in part.
Richli, J.
We concur: Ramirez, P.J., Hollenhorst, J.
- E048856 Granite Consulting, Inc. v. Robert E. Hall Opinion**
- Judgment affirmed.
Miller, J.
We concur: Ramirez, P.J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 23, 2010**

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| E048416* | The People v. Cesar Garcia
Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: McKinster, J, Miller, J.
*Certified for publication. | Opinion |
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| E048027* | The People v. Jaime Lopez
Judgment affirmed with directions.
Hollenhorst, J.
We concur: Ramirez, P.J., King, J.
*Certified for partial publication. | Opinion |
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| E050063 | In re C.B., a Person Coming Under the Juvenile Court Law. San Bernardino County Children and Family Services v. T.B.
Judgment affirmed.
Miller, J.
We concur: McKinster, Acting P.J., King, J. | Opinion |
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| E047822 | The People v. Ruben Portillo Nunez
Judgment affirmed in part and reversed in part.
King, J.
We concur: Ramirez, P.J., Richli, J. | Opinion |
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| E047842* | The People v. Wayne Frederick Tompkins
Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: McKinster, J., Miller, J.
*Certified for publication. | Opinion |
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| E048212 | The People v. Birl McKinnie, Jr.
Judgment affirmed with directions.
Hollenhorst, Acting P.J.
We concur: Richli, J., King, J. | Opinion |
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| E048443 | The People v. Raymond Sanchez
Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: Richli, J., King, J. | Opinion |

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| E048743 | The People v. Leah Jeanette Doty
Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., Richli, J. | Opinion |
| E048763 | The People v. Gregory Postell
Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: Richli, J., King, J. | Opinion |
| E045862 | Isabelle Harrison et al., Isabelle M. Harrison,
Individually and as Trustee, etc. v.
Sierra Dawn Estates Homeowners' Association, Inc.
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E048472* | Michael Espinosa et al. v. Kenneth L. Kirkwood, Jr.
Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J., Miller, J.
*Certified for publication. | Opinion |
| E048462 | Fernando Herrera et al. v. Alfredo Lopez et al.;
Alfredo Lopez v. Fernando Herrera
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E046578 | In re the Marriage of Stephany and Guy Clanton
Stephany Johnson v. Guy Clanton
The court denied appellant's request for dismissal of the appeal. However, because only appellant requested oral argument and because the court deems the request to be an abandonment of the appeal and waiver of oral argument, this case is taken off calendar and the matter is submitted. | Order |
| E046921 | In re the Marriage of Misti Lynn and Dave Alan Fillhart.
Misti Lynn Fillhart v. Dave Alan Fillhart
Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: McKinster, J., King, J. | Opinion |

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 24, 2010**

- E049867 In re D.P. et al., Persons Coming Under the Juvenile Court Law.
San Bernardino County Children and Family Services v. D.B.**
Judgment affirmed. **Opinion**
McKinster, J.
We concur: Ramirez, P.J., Miller, J.
- E047790* Yuri Spiro, Individually and as Trustee, etc. v. Allen Opinion
E048735* & Kimbell, LLP, et al.**
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J.
***Consolidated for all purposes.**
- E046318 Steven Beutz v. County of Riverside Order**
Respondents' petition for rehearing is denied.
- E050766 The People v. The Superior Court of Riverside County; Opinion
Marcus Byrd et al.**
Petition granted.
Miller, J.
We concur: Ramirez, P.J., Hollenhorst, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 25, 2010**

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| E048198 | Martha Clohency v. Golden Cross Care, Inc. et al.
Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., King, J. | Opinion |
| E047609* | Judy Clark v. Sky Valley East, LLC. et al. | Opinion |
| E048324* | Judy Clark v. Sky Valley East, LLC. et al.
Judgment affirmed in part; reversed in part with directions.
Richli, J.
We concur: Ramirez, P.J., King, J.
*Consolidated for purposes of oral argument and decision. | |
| E050079 | The People v. Tyre Elliott Beverly
Judgment affirmed.
Ramirez, P.J.
We concur: McKinster, J., King, J. | Opinion |
| E047980 | Orange Coast Equities, LLC v. The City of Victorville et al.
Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J., Miller, J. | Opinion |
| E047306 | Richard J. Maraziti et al. v. David A. Stone, Jr.
Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., King, J. | Opinion |
| E048326* | The People v. Craig Steven Bloom
Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., McKinster, J.
*Certified for publication. | Opinion |
| E047776 | Barry Banks v. Sonja Zinke
Appeal is dismissed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |

Minutes
June 25, 2010

E045145 Constance DeRosa v. Jack Masi, as Trustee, etc.

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Miller, J.

**Court of Appeal, State of California
Fourth Appellate District, Division 2
Riverside, California**

**Minutes
June 28, 2010**

Court convened at 9:00 a.m.

Panel 1
Present:
Ramirez, P.J.
McKinster, J.
King, J.
Elizabeth Ceballos, Deputy Clerk

**E046739 In re the Marriage of Kevin and Renee Harleman
Kevin Harleman v. Renee Harleman**

Merits. Cause called and Kevin Harleman argued as appellant in propria persona; Renee Harleman appeared as respondent in propria persona. Cause submitted.

**E048975 In re the Marriage of Jean and Jimmie Nelson
Jean Nelson v. Jimmie Nelson; Dayton B. Parcels**

Merits. Cause called and Dayton B. Parcels, Esq., argued for appellants; Ray B. Bowen, Esq., argued for respondent. Dayton B. Parcels' motion to augment is denied. Cause submitted.

Court recessed.

Court reconvened.

Panel 1a
Present:
Ramirez, P.J.
King, J.
Miller, J.
Elizabeth Ceballos, Deputy Clerk

E046162 Michael Rodriguez v. Jurupa Unified School District et al.

Merits. Cause called and Richard D. Ackerman, Esq., argued for appellant; Susan K. Brennecke, Esq., argued for respondent Jurupa Unified School District; Christopher D. Keeler, Esq., argued for respondents Elliott Duchon and Carl Harris. Respondents' request for judicial notice is denied without prejudice. Cause submitted.

Minutes
June 28, 2010

Order to Show Cause Hearing

E047086 James M. Kinder v. Allied Interstate, Inc.; [And 74 other cases.]

Merits. Cause called and David A. Kay, Esq., argued for appellant; Becky S. Walker, Esq., argued for respondents Allied Interstate, Inc. et al.; No appearance made by Andrew M. Steinheimer, Esq., for respondent Bay Area Credit Services; No appearance made by Thomas W. McNamara, Esq., for respondent Time Warner Cable; Scott J. Loeding, Esq., appeared for respondent Evergreen Professional Recoveries, Inc. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Panel 2

Present:

Hollenhorst, Acting P.J.

McKinster, J.

Richli, J.

Kelly Conn, Deputy Clerk

E047647 Sandi Capel v. Coburn Equipment, Inc. et al.

Merits. Cause called and David M. Cantrell, Esq., argued for appellants; Gregory J. Hout, Esq., argued for respondent. Cause submitted.

E047805 Jessica Anderson v. Osborn McCraney

Merits. Cause called and Andrew L. Ellis, Esq., argued for appellant; John J. Higgins, Esq., argued for respondent. Cause submitted.

E047802 Amberlee Fisher v. DCH Temecula Imports LLC

Merits. Cause called and Christian J. Scali, Esq., argued for appellant; Christopher P. Barry, Esq., argued for respondent. Cause submitted.

E048390 Frank Peterson v. San Bernardino Community College District et al.

Merits. Cause called and Frank P. Peterson argued as appellant in propria persona; Andrea Naested, Esq., argued for respondents. Cause submitted.

Minutes
June 28, 2010

E048889 Estate of Mary Clayton Betz; Stanley L. Sniff, Jr., as Administrator, etc. v. Leane Caldwell; William Spence

Merits. Cause called and Christine S. Pente, Esq., argued for appellant; John P. St. Clair, Esq., argued for respondent Stanley Sniff, Jr., as Administrator, etc.; Brian C. Unitt, Esq., argued for respondent William Spence. Cause submitted.

Court adjourned.

E050202 In re C.S. et al., Persons Coming Under the Juvenile Court Law. San Bernardino County Children and Family Services v. V.S.

Judgment affirmed.

Opinion

Hollenhorst, J.

We concur: Ramirez, P.J., Richli, J.

E048044 The People v. Daniel Otilio Ruiz

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Richli, J.

E048042 The People v. Felipe Sanchez Avila

Opinion

Judgment affirmed with directions.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E047954 The People v. Raymond Taylor

Opinion

Judgment affirmed with directions.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Miller, J.

E049193 Susan Kalogirou et al. v. Wal-Mart Stores, Inc. et al.

Opinion

Judgment affirmed.

King, J.

We concur: Hollenhorst, Acting P.J., Miller, J.

E048222 Groner Enterprises, Inc. v. American Realty Trust, Inc.

Opinion

Judgment affirmed; cross-appeal dismissed.

Richli, J.

We concur: Ramirez, P.J., King, J.

E049186 The People v. Casey Ray Tarbutton

Opinion

Judgment reversed.

McKinster, Acting P.J.

We concur: King, J. Miller, J.

Minutes
June 28, 2010

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| E049226 | Samuel Gonzales v. Ronald C. Pederson et al.
Judgment affirmed.
McKinster, J.
We concur: Ramirez, P.J., Hollenhorst, J. | Opinion |
| E046801 | The People v. Javier Joaquin Luque et al.
Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J., King, J. | Opinion |
| E048179 | Joseph Billings v. Jeremy J. Ofseyer et al.
Judgment affirmed.
Miller, J.
We concur: Ramirez, P.J., Richli, J. | Opinion |

**Court of Appeal, State of California
Fourth Appellate District, Division 2
Riverside, California**

**Minutes
June 29, 2010**

Court convened at 9:00 a.m.

Panel 3c
Present:
Ramirez, P.J.
McKinster, J.
Miller, J.
Rachel Borba, Deputy Clerk

**E049686 In re A.L.M. et al., Persons Coming Under the Juvenile Court Law.
San Bernardino County Children and Family Services v. A.M. et al.**

Merits. Cause called and Robert F. McLaughlin, Esq., argued for appellant A.M.; Maryann M. Milcetic, Esq., argued for appellant L.M.; Danielle E. Wuchenich, Deputy County Counsel, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 3
Present:
Ramirez, P.J.
Richli, J.
Miller, J.
Rachel Borba, Deputy Clerk

E049195 The People v. Justin Cordell Belcher

Merits. Cause called and Christine Vento, Esq., argued for appellant; Scott C. Taylor, Deputy Attorney General, appeared for respondent and Heliodoro Moreno, Jr., certified law student, argued for respondent. Cause submitted.

Court recessed.

Minutes
June 29, 2010

Court reconvened.

Panel 3a
Present:
Ramirez, P.J.
Richli, J.
King, J.
Rachel Borba, Deputy Clerk

E047991 In re S.D., a Person Coming Under the Juvenile Court Law.
Joseph Akrotirianakis, as Assistant U.S. Attorney, etc. v. K.D.

Merits. Cause called and Robert F. McLaughlin, Esq., argued for appellant; Linda S. Rehm, Esq., argued for the minor. No appearance made by Joseph N. Akrotirianakis, Esq., for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Panel 4
Present:
Hollenhorst, Acting P.J.
McKinster, J.
Miller, J.
Sonia DeLeon, Deputy Clerk

E048271 The People v. Robert Dempsey Compton III

Merits. Cause called and Mark A. McBride, Esq., argued for appellant; Scott C. Taylor, Deputy Attorney General, appeared for respondent and Heliodoro Moreno, Jr., certified law student, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 4a
Present:
Hollenhorst, Acting P.J.
McKinster, J.
Richli, J.
Sonia DeLeon, Deputy Clerk

Minutes
June 29, 2010

E045049 The People v. Dominic Alexander Heath et al.

Merits. Cause called and William M. Flenniken, Esq., argued for appellant Ehon Baker; Dennis A. Fischer, Esq., argued for appellant Dominic Heath; Raquel M. Gonzalez, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 4b

Present:

Hollenhorst, Acting P.J.

Richli, J.

King, J.

Sonia DeLeon, Deputy Clerk

E047521 The People v. Adrian Reyes

Merits. Cause called and David J. Macher, Esq., argued for appellant; Lynne G. McGinnis, Deputy Attorney General, argued for respondent. Supplemental briefing requested by appellant. Each party to file supplemental brief on or before 10 days. Cause will be submitted when supplemental briefing is complete.

E048504 The People v. Johnny R. Hicks

Merits. Cause called and Alexander J. Simpson, Esq., argued for appellant; Emily R. Hanks, Deputy Attorney General, argued for respondent. Cause submitted.

E044984 The People v. Rague Peete et al.

Merits. Cause called and Kenneth Nordin, Esq., argued for appellant Darnell Brown; Steven A. Torres, Esq., argued for appellant Rague Peete; Raquel M. Gonzalez, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Order to Show Cause Hearing

Panel 4c

Present:

Hollenhorst, Acting P.J.

Richli, J.

Miller, J.

Sonia DeLeon, Deputy Clerk

Minutes
June 29, 2010

E047302 In re the Marriage of Salvatore and Carolyn Buono
Salvatore A. Buono v. Carolyn N. Beggs

Merits. Cause called and Salvatore Buono argued as appellant in propria persona; Honey K. Amado, Esq., argued for respondent. Cause submitted.

Court adjourned.

E048450 The People v. Steven Ray Widney Opinion

Judgment affirmed with directions.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E049834 The People v. Robert Coleman Schmidt Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Miller, J.

E048954 The People v. Mario Sanchez Opinion

Judgment affirmed.

Miller, J.

We concur: McKinster, Acting P.J., King, J.

E048136 The People v. Rosevelt Turner Opinion

Judgment affirmed.

Miller, J.

We concur: McKinster, Acting P.J., King, J.

E045215 The People v. Luis Jaimes Order

On the court's own motion, the submission on May 24, 2010 is vacated.

The matter will be resubmitted upon the waiver or completion of oral argument.

E047788 The People v. Paul Andy Turner, Jr. Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., King, J.

E051112 The People v. Cathy Jean Peddicord Order

E051113 The People v. Cathy Jean Peddicord

E051114 The People v. Cathy Jean Peddicord

On the court's own motion, case Nos. E051112, E051113 and E051114 are consolidated for all purposes. Case No. E051112 is designated as the master file.

**Court of Appeal, State of California
Fourth Appellate District, Division 2
Riverside, California**

**Minutes
June 30, 2010**

The following case is submitted this date:

- E050381 In re D.G., a Person Coming Under the Juvenile Court Law.
Riverside County Department of Public Social Services v. M.A.**
- E047535 In re the Marriage of Kierstin A. and Mark Lee Smith.
Kierstin A. Smith v. Mark Lee Smith Order
Petition for rehearing is denied.**
- E048552 The People v. Malachi Seastrong Opinion
Judgment affirmed.
McKinster, J.
We concur: Ramirez, P.J., Miller, J.**
- E045250 George Small v. Keith Schauermann et al. Opinion
Judgment reversed with directions.
McKinster, J.
We concur: Hollenhorst, Acting P.J., Richli, J.**
- E048659 In re R.R., a Person Coming Under the Juvenile Court Law.
The People v. R.R. Opinion
Judgment affirmed.
McKinster, J.
We concur: Ramirez, P.J., Miller, J.**